

Ben Bressel  
On behalf of Mike Bukhin and Anna Wallack  
46 White Place  
Brookline, MA 02445

Board of Selectmen  
333 Washington St  
Brookline, MA 02445

Dear Board of Selectmen,

I am writing this letter on behalf of Mike Bukhin and Anna Wallack. We are almost complete with remodeling their home on White Place and we are at the point where we cannot complete the job because the siding work to be done on the back of the house abuts the T. We need to access the tracks to put up ladders to work; we also need them to shut off the power as the power lines run within feet of the property. The MBTA has, after a months long process, granted us permission to work on the back of the house. They will allow us a power shut down between the hours of 2am and 5am for the duration of the project. Therefore, we cannot comply with the working hours By-Law (section 8.15.7).

The T does not specify dates in the license but we are requesting the By-Law non-compliance permit on the dates October 21<sup>st</sup>, 2013 through November 4, 2013. We will do our best to complete the project in one week, but please note that the T has reserved the right to deny us access at any time should they need to run crews down the tracks for whatever reason.

The work to be done will be stripping the back of the house of the old siding and putting up new siding and trim to seal in the house from the weather. The noise will be that of manual hammers, demolition, a crew of men working, and pneumatic hammers.

We will keep the crew noise to a minimum and we will put as many of the compressors as we can in places to mitigate their noise.

I am including copies of our building permits as well as the license to do the work granted by the T.

Thank you for your time and consideration.

Ben Bressel  
CRM  
617 821 4886  
Bressel@gmail.com



# TOWN of BROOKLINE

## *Massachusetts*

### BOARD OF SELECTMEN

BETSY DEWITT, Chairman  
NANCY A. DALY  
RICHARD W. BENKA  
KENNETH M. GOLDSTEIN  
NEIL A. WISHINSKY

MELVIN A. KLECKNER  
Town Administrator

333 WASHINGTON STREET  
BROOKLINE, MASSACHUSETTS 02445  
(617) 730-2200  
FAX: (617) 730-2054

October 16, 2013

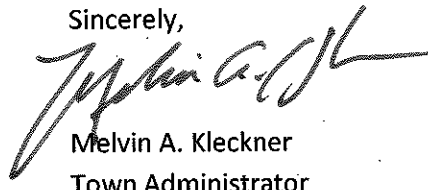
[www.townofbrooklinemass.com](http://www.townofbrooklinemass.com)

To Town Meeting Members In  
Precinct 6 and Abutters

The Board of Selectmen will hold a hearing on Tuesday October 22, 2013 at approximately 7:15 p.m. in the Selectmen's Hearing Room on the petition of Ben Bressel of CRM, on behalf of Mike Bukhin and Anna Wallack owners of the property at 46 White Place, for a waiver of the Town's Noise Bylaw (Article 8.15). This request is to accommodate work between the hours of 2:00 am to 5:00 am October 23<sup>rd</sup> thru November 4th to complete the installation of siding on the back of the house which abuts the MBTA Green Line.

The public is invited to attend. Comments can be submitted in writing to the Board of Selectmen, 333 Washington Street, Brookline, MA 02445 or by emailing [pparks@brooklinema.gov](mailto:pparks@brooklinema.gov).

Sincerely,



Melvin A. Kleckner  
Town Administrator

Cc: Ben Bressel, CRM  
Mike Bukhin and Anna Wallack  
Dan Bennett, Building Commissioner



Deval L. Patrick, Governor  
Timothy P. Murray, Lt. Governor  
Richard A. Davey, MassDOT Secretary & CEO  
Beverly A. Scott, Ph.D., General Manager  
and Rail & Transit Administrator



## MEMORANDUM

**TO:** Pat Barrett  
License Administrator  
Transit Reality Associates, LLC

**FROM:** Edward P. Timmons  
Deputy Director  
Light Rail Operations *Edward P. Timmons* *Exhibit C*

**DATE:** May 26, 2013

**SUBJECT:** MBTA #13110 – Bukhin and Wallack  
Request to access MBTA ROW for Home Improvement (Siding and Trim)

With regards to file MBTA-13110, the request submitted by Michael Bukhin and Anna Wallack to access the Authorities right of way (ROW), on the Green Line - "D" branch (AKA Highland Branch), to install siding and trim to abutting property -46 White Place Brookline, MA. Light Rail Operations has reviewed the request. The scope of work includes the use of ladders and scaffolding directly on the track area, within a "level 1" area.

Light Rail Operations approves the request with the following conditions:

- The terms and conditions outlined in the Authority's Special Conditions for Subway Operations as well as those set forth in the Right of Way Manual must be strictly adhered to.
- All parties performing the work must complete Right of Way (ROW) training.
- This work will not take place while revenue service is in operation. (All work is in a Level One Area).
- Bukhin/Wallack and their contractors understand that the MBTA may suspend work at any time.
- Bukhin/Wallack and their contractors will carefully coordinate all work with the Light Rail Operations Construction Coordinator, Mr. Steven McKeon (or his designee).
- All work will be under the supervision of a Light Rail and/or Subway Operations Construction Coordinator or their designee.

SUBJECT: MBTA #13110- Bukhin and Wallack/ 46 White Place Brookline, MA

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- A force account must be established to support MBTA departments through the completion of the project.
- All costs to repair or replace MBTA property as a result of damage caused by this work will be the sole responsibility of Bukhin/Wallack and their contractors.
- I also stipulate that you seek the concurrence of Steven Culp, Deputy Director of Safety Systems, and The MBTA Engineering and Maintenance Department, The MBTA Power Department, and the MBTA Signal Department, all conditions set forth by the aforementioned parties must be strictly adhered to.

Once these conditions have been met, any work impacting Light Rail Operations or encroaches on or near the Green Line Right of Way, may proceed under the direction of Light Rail Construction Coordinator Stephen McKeon (or his designee). Mr. McKeon can be reached at 617-222-6529 or 617-592-0815.

cc:	W. McClellan	P. Kineavey	S. McKeon	D. Novicki
	E. Tavernier	M. Boyle,	M. Engerman	S. Culp
	D. Helmar	J. Woods	M. Fong	
	J. Martin	J. McNall	W. Lally	

**PARCEL ID: 184-04-01**

**DEED: BOOK 30087; PAGE 302**  
**PLAN: PLAN IN BOOK 1238; PAGE 141**

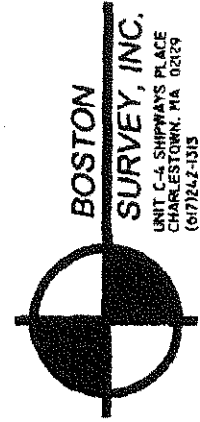
FIELD BOOK	PAGE	INSP. BY	DRAFT. BY	CHECKED BY
M14	57	M/G	DRM	GCC

I CERTIFY THAT THIS PLAN WAS MADE FROM AN INSTRUMENT SURVEY ON THE GROUND BETWEEN THE DATES OF AUGUST 21 AND AUGUST 22, 2012 AND ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.

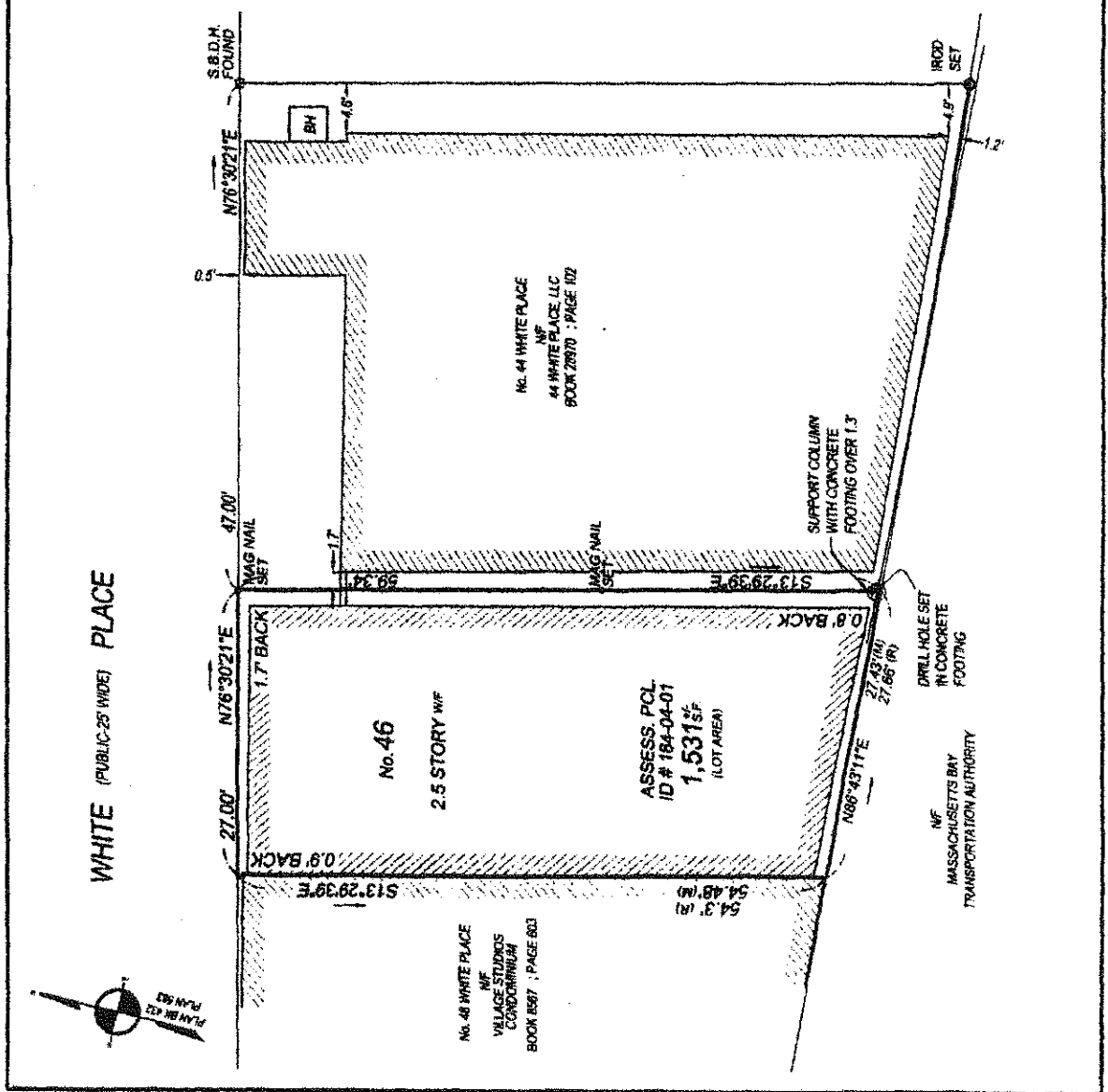
**CERTIFIED PLOT PLAN**  
LOCATED AT  
**46 WHITE PLACE**  
**BROOKLINE, MA**

SCALE: 1 INCH = 10 FEET  
DUNOONLINE, MA  
DATE: AUGUST 23, 2012

MICHAEL BUKHIN & ANNA WALLACK  
46 WHITE PLACE  
BROOKLINE, MA 02445



FILE # 12-00573-B/23/12



**46 WHITE PL****BP-2012-1867**

GIS #:	8930
Map:	184
Block:	04
Lot:	01
Category:	Alteration
Permit #	BP-2012-1867
Project #	JS-2012-004635
Est. Cost:	
Fee Charged:	\$50.00
Balance Due:	\$0.00
Const. Class:	
Use Group:	
Lot Size(sq. ft.):	1534
Zoning:	T-5
Units Gained:	
Units Lost:	
Dig Safe #:	

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF BROOKLINE****BUILDING PERMIT****PERMISSION IS HEREBY GRANTED TO:****Contractor:****License:****Expires:**

Streck, Gary

**Owner:** GARDETTO, TRS ALBERT J & MARY D C/O BUKHIN ET AL MIKE**Applicant:** Streck, Gary**AT:** 46 WHITE PL**ISSUED ON:** 26-Dec-2012**AMENDED ON:****EXPIRES ON:****TO PERFORM THE FOLLOWING WORK:**

COMPLETE GUT REHAB OF SINGLE FAMILY, NEW DORMERS AND 13D SPRINKLER SYSTEM PER BOA CASE #2012-0056  
(SPRINKLER PERMIT REQUIRED)

**POST THIS CARD SO IT IS VISIBLE FROM THE STREET**

<b>Electric</b>	<b>Gas</b>	<b>Plumbing</b>	<b>Building</b>
Underground:	Underground:	Underground:	Excavation:
Service:	Meter:		Footings:
Rough:	Rough:	Rough:	Foundation:
Final:	Final:	Final:	Rough Frame:
			Fireplace/Chimney:
<b>D.P.W.</b>	<b>Fire</b>	<b>Health</b>	Insulation:
Meter:	Oil:		Final:
House #	Smoke:		Treasury:
Water:	Alarm:	<b>Assessor</b>	
Sewer:	Sprinklers:	Final:	

**THIS PERMIT MAY BE REVOKED BY THE TOWN OF BROOKLINE UPON VIOLATION OF ANY OF ITS RULES AND REGULATIONS.**

MGL CH 142A HOME IMPROVEMENT CONTRACTOR REGISTRATION.  
PERSONS CONTRACTING WITH UNREGISTERED CONTRACTORS DO NOT HAVE ACCESS TO THE GUARANTY FUND IN THE EVENT OF A DISPUTE.

**Signature:**

<b>Fee Type:</b>	<b>Receipt No:</b>	<b>Date Paid:</b>	<b>Check No:</b>	<b>Amount:</b>
Building Permit	REC-21-015159	26-Dec-12	453	\$50.00

333 WASHINGTON St, Phone:(617) 730-2100

FD



**46 WHITE PL****BP-2012-0781**

GIS #: 8930  
Map: 184  
Block: 04  
Lot: 01  
Category: Alteration  
Permit #: BP-2012-0781  
Project #: JS-2012-002087  
Est. Cost: \$121,000.00  
Fee Charged: \$2,420.00  
Balance Due: \$0.00  
Const. Class:  
Use Group:  
Lot Size(sq. ft.): 1534  
Zoning: T-5  
Units Gained: 0  
Units Lost: 0  
Dig Safe #:

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF BROOKLINE**



# BUILDING PERMIT

**PERMISSION IS HEREBY GRANTED TO:**

**Contractor:**

**License:**

**Expires:**

Streck, Gary

**Owner:** GARDETTO, TRS ALBERT J & MARY D

**Applicant:** Streck, Gary

**AT:** 46 WHITE PL

**ISSUED ON:** 18-Jun-2012

**AMENDED ON:**

**EXPIRES ON:**

**TO PERFORM THE FOLLOWING WORK:**

INTERIOR DEMO OF ALL NON-STRUCTURAL WALLS. REDESIGN (3) THREE FLOOR LAYOUTS FOR KITCHENS, TWO AND A HALF BATHS AND WINDOWS.

**POST THIS CARD SO IT IS VISIBLE FROM THE STREET**

<u>Electric</u>	<u>Gas</u>	<u>Plumbing</u>	<u>Building</u>
Underground:	Underground:	Underground:	Excavation:
Service:	Meter:		Footings:
Rough:	Rough:	Rough:	Foundation:
Final:	Final:	Final:	Rough Frame:
			Fireplace/Chimney:
<u>D.P.W.</u>	<u>Fire</u>	<u>Health</u>	Insulation:
Meter:	Oil:		Final:
House #	Smoke:		Treasury:
Water:	Alarm:	<u>Assessor</u>	
Sewer:	Sprinklers:	Final:	

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MGL CH 142A HOME IMPROVEMENT CONTRACTOR REGISTRATION.  
PERSONS CONTRACTING WITH UNREGISTERED CONTRACTORS DO  
NOT HAVE ACCESS TO THE GUARANTY FUND IN THE EVENT OF  
A DISPUTE.

**Signature:**

**Fee Type:** **FRANK DEANGELIS** **Receipt No:** **REC-2012-006437** **Date Paid:** **18-Jun-12** **Check No:** **1192** **Amount:** **\$2,420.00**

Building Permit  
Building Inspector  
Tel (617) 730-2096  
Fax (617) 739-7542

**Office Hours**

Mon-Thurs 8:00am-9:30am  
GeoTMS 2012 Dos Laurens Municipal Solutions Inc  
Friday 8:00am-12:30pm  
333 WASHINGTON ST. Phone:(617) 730-2100